

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Mark Brnovich, et al.,

Plaintiffs,

v.

Joseph R Biden, et al.,

Defendants.

NO. CV-21-01568-PHX-MTL

JUDGMENT IN A CIVIL CASE

Decision by Court. This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that there is no just reason to delay entry of final judgment pursuant to Federal Rule of Civil Procedure 54(b).

Judgment is entered, with prejudice, in favor of Plaintiffs the State of Arizona and Arizona Attorney General Mark Brnovich, and against Federal Defendants,¹ on Count I of Plaintiffs' Third Amended Complaint.

¹ The "Federal Defendants" are the United States of America; President Joseph Biden; the United States Department of Homeland Security; the United States Office of Personnel Management; the General Services Administration; the Safer Federal Workforce Task Force; the United States Office of Management and Budget; the Centers for Disease Control and Prevention; the Federal Acquisition Regulatory Council; the United States Department of Justice; Alejandro Mayorkas, in his official capacity as Secretary of Homeland Security; Troy Miller, in his official capacity as Senior Official Performing the Duties of the Commissioner of U.S. Customs and Border Protection; Tae Johnson, in his official capacity as Senior Official Performing the Duties of Director of U.S. Immigration and Customs Enforcement; Ur Jaddou, in her official capacity as Director of the United States Citizenship and Immigration Services; Kiran Ahuja, in her official capacity as Director of the Office of Personnel Management and co-chair of the Safer Federal Workforce Task Force; Robin Carnahan, in her official capacity as Administrator of the General Services Administration and co-chair of the Safer Federal

Counts III and IV, as asserted by Plaintiffs the State of Arizona and Arizona Counts III and IV, as asserted by Plaintiffs the State of Arizona and Arizona. Judgment is entered, without prejudice, against Plaintiffs the State of Arizona and Arizona Attorney General Mark Brnovich, and in favor of Federal Defendants, on Counts III and IV of Plaintiffs' Third Amended Complaint, insofar as those claims challenge the Employee Mandate.

Judgment is entered with prejudice against Plaintiffs the State of Arizona and Arizona Attorney General Mark Brnovich, and in favor of Federal Defendants, on Counts II, III, IV, V, VI, VII, and VIII of Plaintiffs' Third Amended Complaint, insofar as those claims challenge the Contractor Mandate.

All claims asserted by Plaintiff Al Reble are dismissed as nonjusticiable. There being no just reason for delay, judgment is entered, without prejudice, against Plaintiff Reble, and dismissing him from this action.

Judgment is entered with prejudice, against Plaintiffs the Phoenix Law Enforcement Association and United Phoenix Firefighters Association Local 493, and in favor of Defendant the City of Phoenix, on Counts I, IV, and VI of Plaintiffs' Third Amended Complaint. Plaintiffs the Phoenix Law Enforcement Association and United

Workforce Task Force; Shalanda Young, in her official capacity as Acting Director of the Office of Management and Budget and member of the Safer Federal Workforce Task Force; Jeffrey Zients, in his official capacity as COVID-19 Response Coordinator and co-chair of the Safer Federal Workforce Task Force; L. Eric Patterson, in his official capacity as Director of the Federal Protective Service and member of the Safer Federal Workforce Task Force; James Murray, in his official capacity as Director of the United States Secret Service and member of the Safer Federal Workforce Task Force; Deanne Criswell, in her official capacity as Director of the Federal Emergency Management Agency and member of the Safer Federal Workforce Task Force; Rochelle Walensky, in her official capacity as Director of the Centers for Disease Control and Prevention and member of the Safer Federal Workforce Task Force; Mathew Blum, in his official capacity as Chair of the Federal Acquisition Regulatory Council and Acting Administrator of the Office of Federal Procurement Policy; Lesley Field, in her official capacity as a member of the Federal Acquisition Regulatory Council and Acting Administrator for Federal Procurement at the Office of Federal Procurement Policy; Karla Jackson, in her official capacity as a member of the Federal Acquisition Regulatory Council and Assistant Administrator for Procurement at the National Aeronautics and Space Administration; Jeffrey Koses, in his official capacity as a member of the Federal Acquisition Regulatory Council and Senior Procurement Executive at the General Services Administration; John Tenaglia, in his official capacity as a member of the Federal Acquisition Regulatory Council and Principal Director of Defense Pricing and Contracting at the Department of Defense; and Merrick Garland, in his official capacity as Attorney General of the United States.

1 Phoenix Firefighters Association Local 493, and Defendant the City of Phoenix, are
2 dismissed from this action.

3
4 Debra D. Lucas
5 District Court Executive/Clerk of Court

6 February 10, 2022

7 s/ L. Dixon
8 By Deputy Clerk